

STATE OF WASHINGTON



OFFICE OF
INSURANCE COMMISSIONER

In the Matter of

Michael J. Roche,

Licensee.

)
) No. D 03 - 59
)
) ORDER REVOKING LICENSE
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To: Michael J. Roche
2806 Fell Road
Madison, WI 53713

IT IS ORDERED AND YOU ARE HEREBY NOTIFIED that your license is REVOKED, effective April 29, 2003, pursuant to RCW 48.17.530 and 48.17.540(2).

THIS ORDER IS BASED ON THE FOLLOWING:

1. The Commissioner sent you written inquiries on January 24, and February 21, 2003. These inquiries related to the business of insurance. You did not respond to either of them. Each such failure to respond promptly in writing violated RCW 48.17.475.
2. In your application for an agent's license you answered "no" to the question, "have you ever been convicted of a felony?" In fact, you were convicted of a felony, December 4, 1991; the charge was "Sexual Assault without Consent." This false statement shows you to be untrustworthy and not qualified for a license, within the meaning of RCW 48.17.070, which also is grounds for revocation under RCW 48.17.530(1) (a). The false statement is also grounds for revocation under RCW 48.17.530(1) (c) and RCW 48.17.090(2).
3. The Commissioner sent you a written inquiry on March 13, 2003. You responded with a letter and copies of court documents, which supported the fact that you had been found guilty of a class "D" Felony. No explanation was given as to why you did not disclose the felony conviction on the application.

By reason of your conduct, you have shown yourself to be and are so deemed by the Commissioner, untrustworthy and a source of injury and loss to the public and not qualified to be an insurance agent in the State of Washington. Accordingly, your license is revoked pursuant to RCW 48.17.070, RCW 48.17.090, and RCW 48.17.530(1) (a), (c), (g), and (h).

IT IS FURTHER ORDERED that you return your insurance agent's license certificate to the Commissioner on or before the effective date of the revocation of your license, as required by RCW 48.17.530(4).

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NOTICE CONCERNING YOUR RIGHT TO A HEARING. Please note that a detailed summary of your right to contest this Order is attached. Briefly, if you are aggrieved by this Order, RCW 48.04.010 permits you to demand a hearing. Pursuant to that statute and others: You must demand a hearing, in writing, within 90 days after the date of this Order, which is the day it was mailed to you, or you will waive your right to a hearing. Your demand for a hearing must specify briefly the reasons why you think this Order should be changed. If your demand for a hearing is received by the Commissioner before the effective date of the revocation, then the revocation will be stayed (postponed) pending the hearing, pursuant to RCW 48.04.020. Upon receipt of your demand for hearing, you will be contacted by an assistant of the Chief Hearing Officer to schedule a teleconference with you and the Insurance Commissioner's Office to discuss the hearing and the procedures to be followed.

Please send any demand for hearing to Insurance Commissioner, attention Scott Jarvis, Deputy Insurance Commissioner, Office of the Insurance Commissioner, P.O. Box 40257, Olympia, WA 98504-0257.

ENTERED AT LACEY, WASHINGTON, this 9th day of April, 2003.

MIKE KREIDLER
Insurance Commissioner

By

SCOTT JARVIS
Deputy Commissioner

Investigator: Ed Ganley